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P. H (1947) Department.

MS SERIES.

G.O. No. 3846 P. H

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Dated 21-11-47

[Despatch Abstract.]

NURSING : CENTRAL NURSING COUNCIL : ELECTION FROM THE CENTRAL NURSING SUB-CIL : PROCLAIMED.

No. F.12-1/46.MII
GOVERNMENT OF INDIA
Ministry of Health.

New Delhi, the 26th September 1947.

From

Harbans Singh, Esquire,
Assistant Secretary to the Government of India

To

The Secretary to the Government of Madras,
Education and Public Health Department.

Subject: AN ORDINANCE TO CONSTITUTE CENTRAL NURSING COUNCIL.

Sir,

I am directed to forward a copy of the Central Nursing Council Ordinance (Ordinance No. XIII of 1947) published in the Gazette of India Extraordinary, dated the 13th August 1947, together with a copy of the Press Communique explaining the reasons for its promulgation. The Ordinance has come into force from the date of promulgation and will remain operative for a period of six months i.e. upto the 12th February 1948. Steps will be taken before that date to place the Ordinance before the Legislature to connect it with an Act. The Government of India are anxious that the Central Nursing Council should be established without delay and are taking preliminary action for the purpose. In this connection I am to request that necessary steps may be taken by the Government of Madras for the election of members for the Central Nursing Council from the Provincial Councils in accordance with the provisions of sections 3 (1) (a) and (8), and 5 of the Ordinance. The Government of India would be grateful if the elections could be completed and the names of the elected candidates communicated to them before the end of October 1947.

Information may also kindly be furnished whether under clause (f) of Section 3 (1) of the Ordinance it is the intention of the Provincial Government that the Superintendent of Nursing (by whatever name called) should be a member of the Central Nursing Council in the place of the Administrative Medical Officer of the Province.

I have the honour to be,
Sir,
Your most obedient servant,

Sd. HARBANS SINGH
Assistant Secretary.

PRESS COMMUNIQUE.

An Ordinance has been promulgated by the Governor-General to provide for the establishment of a Central Nursing Council. A Bill for this purpose was introduced in the Legislative Assembly in the Budget Session of 1946. The Bill was published for eliciting public opinion. The opinions received both from Provincial Governments and bodies interested in the nursing profession were in favour of the establishment of a Nursing Council, but owing to pressure of other Government business in the Legislature it has not been possible to make any further progress with the legislation. As there is an urgent need for a central body which will coordinate the activities of provincial nursing councils and lay down a uniform standard of nursing training it has been decided to issue an Ordinance to enable such a body to be set up immediately pending the consideration of permanent legislation by the Legislature.

ORDINANCE NO. XIII OF 1947

AN ORDINANCE TO CONSTITUTE A CENTRAL NURSING COUNCIL.

WHEREAS an emergency has arisen which makes it necessary to constitute a Central Nursing Council in order to establish a uniform standard of training for nurses, midwives and health visitors;

AND WHEREAS the Indian Legislature is not in session;

NOW, THEREFORE, in exercise of the powers conferred by section 72 of the Government of India Act, as set out in the Ninth Schedule to the Government of India Act, 1935 (26 Ger.5.c.2), the Governor-General is pleased to make ~~the-pres~~ and promulgate the following Ordinance:

1. SHORT TITLE, EXTENT AND COMMENCEMENT: (1) This Ordinance may be called the Central Nursing Council Ordinance, 1947.

(2) It extends to the whole of British India.

(3) It shall come into force at once.

2. INTERPRETATION: In this Ordinance, unless there is anything repugnant in the subject or context:

(a) "the Council" means the Central Nursing Council constituted under this Ordinance;

(b) "prescribed" means prescribed by regulations made under section 15;

(c) "Provincial Council" means a Council (by whatever name called) constituted under the law of a Province to regulate the registration of nurses, midwives or heatlh visitors in the Province;

(d) "Provincial register" means a register of nurses, assistant nurses, midwives, assistant midwives or health visitors maintained under the law of a Province.

3. CONSTITUTION AND COMPOSITION OF THE COUNCIL: (1) The Central Government shall as soon as may be constitute a Council consisting of the following members, namely:

(a) two nurses enrolled in a Provincial register who shall be members of the staff of an institution in which nurses are trained, elected by each Provincial Council;

(b) one member elected from among themselves by the heads of institutions in which training is given in nursing administration to nurses enrolled in a Provincial register;

(c) one member elected from among themselves by the heads of institutitions in which health visitors are trained;

(d) one member elected by the Medical Council of India;

(e) one midwife enrolled in a Provincial register, elected by each Provincial Council;

(f) the chief administrative medical officer of each Governor's Province or if the Provincial Government in any case so directs, the Superintendent of Nursing (by whatever name called) in the office of the chief administrative medical officer of the Province, ex-officio;

(g) the Provincial Directors of Public Health, ex-officio;

(h) four members nominated by the Central Government, of whom at least two shall be nurses, midwives or health visitors enrolled in a Provincial register and one shall be an experienced educationalist;

(i) three officials appointed by the Central Government, one of whom the Central Government shall appoint as President of the Council;

(2) No act done by the Council shall be questioned on the ground merely of the existence of any vacancy in, or any defect in the constitution of, the Council.

4. INCORPORATION OF THE COUNCIL: The Council constituted under section 3 shall be a body corporate by the name of the Central Nursing Council, having perpetual succession and a common seal, with power to acquire property both movable and immovable and shall by the said name sue and be sued.

5. MODE OF ELECTIONS: (1) Elections under sub-section (1), of section 3 by Provincial Councils shall be conducted in accordance with rules made in this behalf by the respective Provincial Governments and where any dispute arises regarding any such election it shall be referred to the Provincial Government concerned whose decision shall be final.

(2) Other elections under that sub-section shall be conducted in the prescribed manner, and where any dispute arises regarding any such election it shall be referred to the Central Government whose decision shall be final.

6, MEETINGS: (1) The Council shall hold its first meeting at such times and place as may be appointed by the President, and thereafter the Council shall meet at such time and place as may be appointed by the Council.

(2) Until otherwise prescribed, ten members of the Council shall form a quorum, and all the acts of the Council shall be decided by a majority of the members present and voting.

7. MEETINGS: (1) The Council shall hold its first meeting at such time and place as may be appointed by the President, and thereafter the Council shall meet at such time and place as may be appointed by the Council.

(2) Until otherwise prescribed, ten members of the Council shall form a quorum, and all the acts of the Council shall be decided by a majority of the members present and voting.

8. OFFICERS, COMMITTEES AND SERVANTS OF THE COUNCIL: (1) The Secretary of the Council (who may also, if it is deemed expedient by the Council act as Treasurer) shall be a peron appointed by the Central Government and shall hold office during the pleasure of the Central Government.

(2) The Council shall -

(a) elect from among its members a Vice-President;

(b) constitute from among its members an Executive Committee and such other committees for general or special purposes as the Council deems necessary to carry out the purposes of this Ordinance

(c) appoint or nominate such officers and servants as the Council deems necessary to carry out the purposes of this Ordinance.

(d) require and take from the Secretary, or from any other officer or servant, such security for the due performance of his duties as the Council deems necessary;

(e) with the previous sanction of the Central Government, fix the fees and allowances to be paid to the President, Vice-President and members and the pay and allowances of officers and servants of the Council.

8. THE EXECUTIVE COMMITTEE : (1) The Executive Committee shall consist of one members, of whom seven shall be elected by the Council from among its members.

(2) The President and Vice-President of the Council shall be members ex-officio of the Executive Committee, and shall be President and Vice-President, respectively, of that Committee.

(3) In addition to the powers and duties conferred and imposed upon it by this Ordinance, the Executive Committee shall exercise and discharge such powers and duties as the Council may confer or impose upon it by any regulations which may be made in this behalf.

9. RECOGNITION OF QUALIFICATIONS. (1) For the purpose of this Ordinance the qualific tions included in the Scheudle shall be recgg-nised qualifications and the qualifications included in Part II of the Schedule shall be recognised higher qualifications.

(2) Any authority in British India which, being recognised by the Provincial Government for the purpose of granting any qualification, grants a qualification in general nursing, midwifery, health visiting or public health nursing, not included in the Schedule may apply to the Council to have such qualification recognised, and the Council may declare that such qualification, or such qualification only when granted after a specified date, shall be a recognised qualification for the purposes of this Ordinance.

(3) The Council may enter into negotiations with any authority in any State or country outside British India which by the law of such State or country is entrusted with the maintenance of a register of n rses, midwives or health visitors, for the settling of a sceheme or reciprocity for the recognition of qualifications, and in pursuance of any such scheme the Council may declare that a qualification granted by any authority in any State or country outside British India, or such qualification only when granted after a specified date, shall be recognised qualification for the purposes of this Ordinance;

Provided that no declaration shall be made under this sub-section in respect of any qualification unless by the law and practice of the State or country in which the qualification is granted persons of British Indian origin holding qualifications recognised under this Ordinance are permitted to enter and practice the nursing profession in that State of country:

Provided further that -

(i) any reciprocal arrangements subsisting at the date of the commencement of this Ordinance between a Provincial Council and any authority outside India for the recognition of qualifications shall, subject to any earlier termination of the arrangements in accordance with the terms thereof, continue in force, and

(ii) any qualification granted by an authority in any Indian State and recognised on the said date by a Provincial Council shall continue to be a recognised qualification for the purpose of registration in the Province.

(4) The provisions of sub-sections (2) and (3) of and of sections 13 and 14 shall apply mutatis-mutandis to the declaration by the Council of a qualification granted in respect of post-certificate nursing training as a recognised higher qualification.

10. EFFECT OF RECOGNITION: Notwithstanding anything contained in any other law,-

(a) any recognised qualification shall be a sufficient qualification for enrolment in any Provincial register;

(b) No person shall, after the date of the commencement of this Ordinance, be entitled to be enrolled in any Provincial register as a nurse, midwife, health visitor, or public health nurse or as an assistant nurse or assistant midwife, unless he or she holds a recognised qualification:

Provided that any person already enrolled in any Provincial Register before the said date may continue to be so enrolled notwithstanding that he or she may not hold a recognised qualification:

Provided further that any person who was immediately before the said date entitled to be enrolled in any Provincial register but was not so enrolled shall, on application made in this behalf while this Ordinance remains in force be entitled to be enrolled in that regi

(c) any person holding a recognised higher qualifi entitled to have the qualification entered as a sup cation in any Provincial register in which he or and after the said date no person shall be entitl as a supplementary qualification in any Provincia qualification which is not a recognised

11. POWER TO REQUIRE INFORMATION AS TO COURSES OF STUDY AND TRAINING AND EXAMINATIONS: Every authority in British India which grants a recognised qualification or a recognised higher qualification shall furnish such information as the Council may, from time to time, require as to the courses of study and training and examinations to be undergone in order to obtain such qualification, as to the ages at which such courses of study and examinations are required to be undergone and such qualifications conferred, and generally at to the requisities for obtaining such qualification.

12. INSPECTIONS (1) The Executive Committee may appoint such number of inspectors as it deems necessary to inspect any institution recognised as a training institution, and to attend examinations held for the purposes of granting any recognised qualification or recognised higher qualification.

(2) Inspectors appointed under this section shall report to the Executive Committee on the suitability of the institution for the purposes of training and on the adequacy of the training therein, or as the case may be, on the sufficiency of the examinations.

(3) The Executive Committee shall forward a copy of such report to the authority or institution concerned, and shall also forward copies, with the remarks, if any, of the authority or institution concerned thereon, to the Central Government and to the Provincial Government and Provincial Council of the Province in which the authority or institution is situated.

13. WITHDRAWAL OF RECOGNITION: (1) When, upon report by the Executive Committee, it appears to the Council -

(a) that the courses of study and training and the examinations to be gone through in order to obtain a recognised qualification from any authority in British India, or the conditions for admission to such courses or the standards of profiency required from the candidates at such examinations are not in conformity with the regulations made under this Ordinance or fall short of the standards required thereby, or

(b) that an institution recognised by a Provincial Council for the training of nurses, midwives or health visistors does not satisfy the requirements of the Council,

the Council may send to the Government of the Province, in which the authority or institution, as the case may be, is situated a statement to such effect, and the Provincial Government shall forward it, along with such remarks as it may think fit to the authority or institution concerned, and, in a case referred to in clause (b) to the Provincial Council also, with an intimation of the period within which the authority or institution may submit its explanation to the Provincial Government.

(2) On the receipt of the explanation or, where no explanation is submitted within the prescribed period fixed, then on the expiry of the period, the Provincial Government shall make its recommendations to the Council.

(3) The Council, after such further inquiry, if any, as it may think fit to make, and in a case referred to in clause (b) of sub-section (1), after considering any remarks which the Provincial Council may have addressed to it, may declare -

(a) in a case referred to in clause (a) of that sub-section, that the qualifications granted by the authority concerned shall be recognised qualifications only when granted before a specified date, or

(b) in a case referred to inthe said clause (b), that with effect from a date specified in the declaration any person holding a recognised qualification whose period of training and study preparatory to the g[illegible]ent to him of the qualification was passed at the institution con[illegible]ll be entitled to be registered only in the Province in which [illegible]n is situated.

[illegible] may declare that any recognised qualification [illegible]tish India shall be a recognised qualification only [illegible] specified date

14. MODE OF DECLARATIONS: All declarations under section 9 or section 13 shall be made by resolution passed at a meeting of the Council called for the purpose, and shall forthwith be published in the official gazette.

15. POWER TO MAKE REGULATIONS: (1) The Council may make regulations not inconsistent with this Ordinance generally to carry out the provisions of this Ordinance, and in particular and without prejudice to the generality of the foregoing power, such regulations may provide for -

(a) the management of the property of the Council and the maintenance and audit of its accounts;

(b) the manner in which elections referred to in sub-section (2) of section 5 and in clause (i) of sub-section (1) of section 7 shall be conducted;

(c) the summoning and holding of the meetings of the Council, the times and places at which such meetings shall be held, the conduct of business thereat and the number of members necessary to constitute a quorum;

(d) prescribing the functions of the Executive Committee, the summoning and holding of meetings thereof, the times and places at which such meetings shall be held, and the number of members necessary to constitute a quorum;

(e) prescribing the powers and duties of the President and Vice-President;

(f) prescribing the ~~powers and duties~~ tenure of office and the powers and duties of the Secretary, inspectors, visitors and other officers and servants of the Council;

(g) prescribing the standard curricula for the training of nurses, midwives and health visitors, for training courses for teachers of nurses, midwives and health visitors, for training in nursing administration and for the training of assistant nurses and assistant midwives;

(h) prescribing the conditions for admission to courses of training as aforesaid;

(i) prescribing the standards of examination and other requirements to be satisfied to secure for qualifications recognition under this Ordinance;

(j) any other matter which is to be or may be presribed under this Ordinance.

(2) To enable the Council to be first constituted, the President may, with the previous sanction of the Central Government, make regulations for the conduct of the elections referred to in sub-section (2) of section 5, and any regulations so made may be altered or rescinded by the Council in exercise of its powers under this section.

THE SCHEDULE.
/See sections 9 and 10./
PART I.
Recognised qualifications.

A. GENERAL NURSING:

Certificates (including senior and junior certificates) and Diplo in Nursing issued by any of the following authorities, namely:-

1. The Examination Board, appointed by the Government of Madras.
2. The Bombay Nurses, Midwives and Health Visitors Council
3. The Bombay Presidency Nursing Association (when issued before the 1st day of January, 1936)
4. The Bengal Nursing Council
5. The United Provincies State Medical Faculty
6. The United Provinces Nurses and Midwives Council.
7. The State Board of Medical Examinations, United Provinces.
8. The Punjab Nurses Registration Council

9. The Bihar Medical Examination Board
10. The Bihar Nurses Registration Council
11. The Central Provincies Medical Examination Board.
12. The Assam Nurses, Midwives and Health Visitors Council
13. The Orissa Medical Examination Board.
14. The Sind Nurses and Midwives Council
15. The Mid-India United Board of Examiners for Nurses.
16. The Joint Missionary Board for Examination of Nurses (Marathi area)
17. The North India United Board of Examiners for Mission and other Hospitals
18. The Examining Board of the Nurses Auxiliary of the Christian Medical Association of India (South India Branch)

B. MIDWIFERY:

Certificates or Diplomas in Midwifery issued by any of the following authorities, namely:

1. Any of the authorities mentioned in Section A, except item No. 18 thereof.
2. The Punjab Central Midwives Board.
3. The North West Frontier Province Central Midwives Board.
4. The Mid-India United Board of Examiners for Midwifery
5. The National Association for supplying female medical aid to the Women of India.

C. HEALTH VISITORS:

Health Visitors Certificates or Diplomas issued by any of the authorities, namely:

1. The Government Training School for Health Visitors, Madras.
2. The Sir John Anderson Health School, Calcutta.
3. The United Provinces State Medical Faculty.
4. The United Provinces Nurses and Midwives Council.
5. The Punjab Health School
6. The Government Health School, Nagpur.
7. The AssamNurses Midwives and Health Visitors Council
8. The Lady Reading Health School, Delhi.
9. The Bombay Nurses, Midwives and Health Visitors Council.
10. The Bengal Nursing Council.

PART II.

Recognised higher qualifications.

Certificates or Diplomas in respect of post-certificate nursing training issued by the following authorities, namely:

1. The Examination Board appointed by the Government of Madras.
2. The College of Nursing, Delhi.
3. The Missionary Medical College School of Nursing, Vellore.

MOUNTBATTEN OF BURMA
Viceroy and Governor-General.

GOVERNMENT OF MADRAS
Education and Public Health Department.

Letter Ref: No.78344-2-H2 PH. Dated, the 30th October 1947

From

C.O. Coorey, Esq., I.C.S.,
Joint Secretary to the Government of Madras.

To

The Secretary to the Government of India,
Ministry of Health, NEW DELHI.

Sir,

Sub: NURSING - An Ordinance to constitute Central Nursing Council.

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With reference to your letter No. F.12-1/46 dd M.II dated the 26th September 1947, I am directed to state that the following persons have been elected unanimously as members in accordance with the provisions of Section 3 (1) (a) and (e) of the Central Nursing Council Ordinance (No. XIII of 1947) dated the 13th August 1947, to represent the Madras Nurses and Midwives Council on the Central Nursing Council:

1. Mrs. C.I. Haliburn, R.N.&.M., Matron Superintendent, Government General Hospital, Madras, and
2. Miss.F.Taylor, R.N.&.M., Dean of the School of Nursing, Missionary Medical College Hospital, Vellore.

) elected under Section 3(1) (a) of the Ordinance.

3. Miss I. Carvalho, R.N.&.M., Matron Superintendent, Government Hospital for Women and Children, Madras.

) elected under section 3 (1) (e) of the Ordinance.

2. Under clause (f) of section 3 (1) of the Central Nursing Council Ordinance, the Surgeon-General with the Government of Madras will be an ex-officio member of the Central Nursing Council as the post of Assistant (Nursing) is now vacant. When the Assistant (Nursing) is appointed, she will replace the Surgeon-General.

I have the honour to be,
Sir,
Your most obedient servant,

C.O. COOREY
Jt. Secretary to Government.

EDU. AND PUB. HEALTH DEPTT.

Sub: NURSING - Central Nursing Council - Election from the Provincial Nursing Council - Recorded.
Ref: From the Surgeon-General Ref: No.87275-5N dated 18th November 1947.

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Miss. F.Taylor, Dean of the School of Nursing, Missionary Medical College Hospital, Vellore and Miss. I.Carvalho, Matron Superintendent, Government Hospital for Womena and Children, Madras, have both expressed their willingess to serve on the Central Nursing Council. No further action seems called for.

G.O. (Ms) No. 3846 P.H. dated 21-11-1947

R e c o r d e d.

xx/21.11.1947

Abstract

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NURSING - Central Nursing Council - Election from the Central Nursing Counil - Recorded.

/True copy/

R. Thiagarajan 9.12.54

. . . Office Assistant, .

Sk. Madras Record Office., Egmore.

BN 8.12.54